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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/546,384	04/10/2000	Assaf Litai	P-3060-US	2362

7590 07/02/2004

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EXAMINER
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WRIGHT, NORMAN M

ART UNIT	PAPER NUMBER
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2134

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DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/546,384

**Applicant(s)**

LITAI ET AL.

**Examiner**

Norman M. Wright

**Art Unit**

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
NORMAN M. WRIGHT  
PRIMARY EXAMINER

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-9 and 11, are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Shambroom, U.S. Pat. No. 5,923,756, hereinafter '756.

As per claims 1-9 and 11, '756 teaches a method and system for providing secure remote commands executing comprising: preventing unauthorized access, a computer, network, requesting, a first and second server, determining if valid request, receiving a ticket, a ticket server, providing and directing to said second server, receiving request from computer, sending data, a client computer, proxy server, data is encrypted, a cache server, providing a encryption and decryption key, ticket server providing encrypted key/session key, client providing ticket, search engine/web browser, verifying tickets, marking/key/identification, a policy/kerberos, unique identification, rule based information/encrypt/kerberos. See '756 abs., figs. 37b, background, summary, and col. 6-11 et seq..

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 10 and 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over '756, as applied to claims 1-9 and 11 above.

5. As to claims 10 and 12-17, they distinguish over rejected claims 1-9 and 11, by reciting that the marking data is a watermark, ignoring, corrupting and discarding the content/data if not authenticated or valid. The examiner takes official notice of both the motivation and modification necessary for identifying data to be watermarks, and ignoring, corrupting and discarding the content/data if not authenticated or valid.

6. It would have been obvious to one of ordinary skill in the art at the time of the invention to augment the invention of '756 to utilize a watermark as an identification datum for a client. One of ordinary skill in the art would have been motivated to use a watermark, biometric or any other form of data as a means of validating a user. For such is the convention in the data processing arts. A person of ordinary skill would have realized that using a watermark would provide added security in that it is more difficult for a intruder to copy than other forms of identifications/ or passwords.

As to ignoring, corrupting and discarding the content/data if the user/client/server is not authenticated or valid, this is a matter of design choice. It would have been obvious to one of ordinary skill in the art at the time of the invention to further augment the invention of '756, to ignore, corrupt and discard the content/data if the user/client/server is not authenticated or valid. One of ordinary skill in the art would have been motivated to ignore, corrupt and discard data/content from an invalid or

unauthenticated user/server/client because it provides the most basic of security actions, that is not to operate or allow in a system datum, users, or instruction/commands that are suspect or not proven valid. This is notoriously well known in the data processing arts and the ignoring and discarding is inherent to computer systems.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication should be directed to Norman M. Wright at telephone number (703) 305-9586.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Norman M. Wright whose telephone number is (703) 305-9586. The examiner can normally be reached on Mondays from 8am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Morse, can be reached on (703) 308-4789. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.